



U.S. Department of Justice
Rosa Emilia Rodríguez-Vélez
United States Attorney
District of Puerto Rico

Torre Chardón, Suite 1201
350 Carlos Chardón Street
San Juan, Puerto Rico 00918

Telephone: (787) 766-5656
Telecopier: (787) 766-6219

September 25, 2006

Via facsimile: 787-751-0883

Miguel E. Miranda, Esq.
PMB 132, 255 Ponce de León, Suite 75
San Juan, Puerto Rico 00917-1919

RE: Angel D. Morales v. John E. Potter
USDC PR Civil No. 97-2459 (GAG)

Dear counsel:

In relation with the above-captioned case and pursuant to the Court's Order related at Docket Entry No. 301 and the United States' Motion in Compliance, the government announces a its expert witness, Dr. Ramón O. Fortuño, Psychiatrist.

For your information and benefit, enclosed please find an additional copy of Dr. Fortuño's curriculum vitae, even though it was previously provided.

Dr. Fortuño is available to examine plaintiff, Angel D. Morales Vallellanes, on Thursday, October 5, 2006 at 2:30 pm. Dr. Fortuño's office is located at Midtown Building, Suite 214, 421 Ponce de León Avenue, San Juan, Puerto Rico 00918.

Without any further comment, I remain,

Cordially yours

Rosa Emilia Rodríguez-Vélez
United States Attorney

Signed for:  **Luis M. Rodríguez, Legal Assistant**
Fidel A. Sevillano Del Río
Assistant United States Attorney

Ramón O. Fortuño, M.D.
D.A.A.E.T.S., D.A.B.F.E., D.A.B.F.M.
Forensic Psychiatrist
Villas of San Francisco II • (PMB-550)
89 De Diego Avenue • Suite #105
San Juan, Puerto Rico 00937-6346
Tel. (787)765-5718 • Fax. (787)756-7363

CURRICULUM VITAE

March 29, 2006

Name: Ramón O. Fortuño Ramírez, MD

Sex: Male

Date of Birth: June 24, 1958

Status: Married

Main Office Address: 1866 San Joaquín Street (Temporary)
Rio Piedras, Puerto Rico

Telephones: Main Office: (787)765-5718
Cellular Phone: (939)644-5718
Industrial Commission: (787)781-0545, (787) 879-0555

Education & Degree:

Graduation:

University of Puerto Rico
Río Piedras Campus
San Juan, PR 00901

Baccalaureate in Science
Major in Biology

May 8, 1980

University of Puerto Rico
Medical Sciences Campus
P.O. Box 365067
San Juan, PR 00936-5067

Doctor in Medicine

June 7, 1985

Post Graduate Training:

University of Puerto Rico
School of Medicine, Dept. of Psychiatrist
Integrated to Veterans Administration

Psychiatrist

June 9, 1989

Medical Center & Estado Libre Asociado Affiliated Hospitals (CERTIFICATION)

**Curriculum Vitae
Dr. R. Fortuño**

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Internship:

Veterans Administration & University District Hospital	July 1, 1985 and
UPR School of Medicine, Dept. of Psychiatry	June 30, 1986
Estado Libre Asociado Affiliated Hospitals	

Residency Training:

Veterans Administration Medical Center	July 1, 1986 to
& UPR School of medicine, Dept. of	June 9, 1989
Psychiatry, ELA Affiliated. Hospitals	

State Medical Board Examination:

Puerto Rico Board of Medical Examiners (Completed)	July 1987
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National Boards Examination:

Approved National Boards of Medical Examiners	Part I June 1984
	Part II April 1985

State License to Practice Medicine & Psychiatry:

PR Medical License #9297	September 28, 1988
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National Board Certifications:

PR Medical Board Certification as Psychiatrist	July 19, 1989
Diplomate of the American Board of Forensic Medicine	March 5, 1997
Diplomate of the American Board of Forensic Examiners	March 5, 1997
Boards Certification Number	10706
Diplomate Credentials of the American Academy of Experts	October, 1997
in Traumatic Stress, Board Certification No.	010211

Honors & Awards:

Mead Johnson Award for Excellent Clinical Presentation at the Annual Convention of Puerto Rico Medical Association and A.P.A. Chapter of Psychiatry & Neurology	
Caribe Hilton Hotel, San Juan Puerto Rico	September 28, 1985

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Honors & Awards Continue:

American Medical Association: Physician Recognition Award for
Continued Medical Education, July 1993 through July 1996

Membership to Medical Associations:

American Psychiatric Association	February 1985 to June 1995
Asociación Calidad en Salud	Since December 1990
American College of Forensic Medicine	Since March 1997
American Academy of Experts in Traumatic Stress	Since August 1997
American Psychotherapy & Medical Hypnosis Association	Since October 2001
"Colegio Médicos-Cirujanos de Puerto Rico"	Since 1995

Positions Held as Psychiatrist:

1987-1989 Fee Basis Psychiatrist at PIC (Psychiatric Intervention Center at Veterans Adm. Med. Building)

1989 Assistant Professor in Psychiatry for Ponce Campus of the University of Puerto Rico, Medical Sciences at Ponce, PR

1989 Attending Psychiatrist at Ponce Mental Health Services of the Commonwealth of PR

1989-1990 Director of Sub Chronic Male Patient's Ward (Villa No. 5) Five-Mepsi Center, Road 2, Km. 8.2 Bayamón, PR 00960

1989 to 1994 Faculty member of San Juan Capestrano Hospital, Carr. No. 877 Kn., 1.6 Camino Las Lomas, Río Piedras PR 00928

1989-2000 Medical Psychiatric Expert for State's Insurance Fund Corporation (Fondo del Seguro del Estado) Main Central Office of San Juan, De Diego Avenue, Casia Street, Second Floor, San Juan, P.R.

1990-1993 Psychiatrist-Medical Advisor for Seguros de Servicios de Salud, Inc.; La Cruz Azul de Puerto Rico; and United Health Care (Group Sales and Services, Inc), Utilization and Determination Review.

1990-1994 Assistant Professor by Fee Basis for Ponce School of Medicine, Ponce, Puerto Rico.

1990-2005 Medical Expert for the Department of Human Health Services, Social Security Administration/Office of Hearing and Appeals, San Juan (Room 502) Union Plaza, Building 416, Ponce de León Avenue, Hato Rey, PR 00918

1992 Consultant Psychiatrist at San Francisco Hospital, San Juan.

1992 Consultant Psychiatrist for "Hospital de la Asociación de Maestros de PR", San Juan PR.

1994 Director for Sub-Acute/Acute (Non Suicidal) Female Wad Villa, No. VII, and Chairman of the Pharmacy Committee, Mepsi Center Hospital, Bayamón, PR.

1995-1999 Teaching Appointment as Assistant Professor in Psychiatry, Depto. Psychiatry, Ponce School of Medicine, Ponce, PR 00731.

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Positions Held Cont.:

2000-2001 **Director of Intensive Care Unit (Male-Suicidal/Psychotic) Ward, Villa III and Chairman of Utilization and Management**, Medical Center Mepsi, Bayamón.
2000-2001 Psychiatrist Advisor for Triple S, Inc. (Triple S, Management Corp.) Medical Division, San Juan.
2000-2002 Faculty member of Mepsi Center Hospital, Fee Basis Psychiatrist, Bayamón PR.
2000-2005 Medical Expert as Forensic Psychiatrist in the Field of Occupational Medicine: "Comisión Industrial de Puerto Rico", Calle Miguel Casillas (Terminal Norte) Final, Humacao
2001-2005 Medical Expert as Forensic Psychiatrist in the Field of Occupational Medicine: "Comisión Industrial de Puerto Rico", Calle Post Sur, Mayagüez, PR
2002-2004 Independent Medical Evaluator for Medical Card System, Bank Trust Plaza, Fourth Floor Offices 401-409, 255 Ponce de León Avenue, Hato Rey PR
2003-2005 Forensic Psychiatrist in the Field of Occupational Medicine: Industrial Commission at Arecibo, Arecibo, PR.

National Presentations, Conferences and Broadcasted Lectures:

1. "Prevalence of Emotional Disturbances on Patients Visiting ER at Metropolitan Area of Río Piedras" American Psychiatric Association, 138th Annual Meeting, Dallas, Texas. May 23, 1985.
2. Conference on "Eating Disorders (Updated)" Ponce School of Medicine, October 1990, November 1992 and November 1994.
3. "Workmen Compensation Law & Psychiatry" (3 Category I CME credits), Annual Convention "Asociación Medical del Fondo", Lajas, PR. May 1991.
4. "Schizophrenia: New Treatment Modalities" at "Segundo Congreso Medicina & Psiquiatría", Mepsi Center, Bayamón (Cat. I CME) June 3, 1995.
5. "Schizophrenia: General View Year 2000" at "Quinta Jornada de Medicina & Psiquiatría" Mepsi Center, Bayamón. (Cat. I CME) May 16, 1998.
6. "Schizophrenia: In Workmen Compensation (A Brief Review)" at "Convención Anual de Médicos Unionados de la Corporación del Fondo del Seguro del Estado" Lajas, PR. May 23, 1998.
7. "Psychosis Occupational View" Activity with 3 Continued Medical Education credits/hours, written exam and Certification from the University of Puerto Rico Medical Sciences Campus, Assistant Deanship Graduate Medical Education. Place: State Insurance Corp., Central Office, Sixth Floor. Date: September 18, 1998 from 1:00 PM through 4:30 PM.

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National Presentations, Conferences, and Broadcasted Lectures, Cont.:

8. "Depression in the new Millennium Women: Recovering from Illness". Broadcasted Presentation from "El Capitolio", Leopoldo Figueroa Ballroom, Sponsored by Smith Kline & Beecham Pharmaceuticals. Friday, March 12, 1999. Ana G. Méndez Foundation transmission through channels 40 and 3.
9. "Management of the Aggressive Patient", at Congreso Interamericano de Medicina Ocupacional, Cerromar Hyatt Hotel, Flamboyán Saloon. May 29, 1999 Saturday 5:00 PM to 6:00 PM (One Category I Credit/Hours for CME). Handout.
10. "Depression in Women in the Labor Force" at Congreso Interamericano de Medicina Ocupacional, Cerromar Hyatt Hotel, Flamboyán Saloon. Saturday 4:00 PM to 5:00 PM. (One Category I Credit/Hours for CME).
11. "Management of the Aggressive Patient" At Annual Meeting of the West Medical Society. The House of the Doctor, Mayagüez, Puerto Rico. June 8, 1999 (Tuesday) 7:00 PM - 8:00 PM. One Category I Credit/Hours for CME.
12. "Social Phobia and Depression" Sponsored by Smith Kline & Beecham Laboratories, at Tropimar Beach Convention Center, Loíza, Puerto Rico, Thursday, October 7, 1999 at 8:30 AM. (One hour Conference 1000 persons attending).
13. "Social Phobia and Depression: Overview to Student Counselors and Social Workers". Sponsored by "Universidad Interamericana" Barranquitas, Puerto Rico. Friday, November 5, 1999 (Two hours conference, approx. 85 professionals attended).
14. "Social Anxiety and Depression" Commonwealth of Puerto Rico, Department of Education; Intermediate School Sabana Llana. Lecture for teachers. February 8, 2001.
15. "Depression in Patients Suffering from Parkinson's Disease" (CME Category I). Tropimar Beach Convention Center, Loíza, Puerto Rico. Saturday, April 7, 2001.
16. Loneliness in the Elderly at WAPA-Channel 4... June 4, 1990
17. The Children of Divorce at WAPA-Channel 4... January 1991
18. Post Traumatic Stress Disorder at WKAQ Radio. May 30, 1994.
19. Christmas and Depression: Why do people get depressed? WSKN Radio. December 2, 1995. 11:00 PM through 5:00 AM.


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National Presentations, Conferences, and Broadcasted Lectures, Cont.:

20. Several Appearances on Television (Channels 3 & 6) WIPR, and at the same time transmitted through Radio 94.0 AM "Estímulo Positivo". A program exclusively dedicated to Psychology, and Human Behavior. Mondays 8:00 to 9:00 PM.
21. Psychosis Occupational View (6.0 Hours of Continued Education). Carlos Albizu University, Old San Juan, PR. February 21, 2004.
22. Mental Impairment Evaluation (1.0 Hours CME, Cat. I: Professionals attended 175) Occupational medicine-Physician's College. Intercontinental Hotel of Isla Verde. April 18, 2004.
23. Occupational Psychosis: Comprehensive Review, Treatment and Determinations. (Approved for 6.0 CME, Cat. I). Carlos Albizu University, Old San Juan, PR. July 9, 2004.
24. Post Traumatic Stress Disorder: Comprehensive Panel Discussion. Cadena Radio Puerto Rico (Radio 740 AM). September 17, 2004 (1.5 hours).
25. Mental Disabilities- Occupational Psychiatric Evaluations: (1.0 Cat. I for Professionals, attended 350) Intercontinental Hotel, Gran Ballroom, Friday, October 28, 2005 1:00 PM -2:30 PM. *The Occupational Medicine College of Puerto Rico, Inc.*

Publications:


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1. "Donación de órganos y transplante. Una Esperanza de Salud". Published at the Journal: PRENSA MEDICA, Year 9., No. 3, October-December 1997.
 2. "Prevalence of Psychiatric Disorder in Internal Medicine Wards of University District Hospital". Published at HOSPITALES. Year 3., No. 18, August 1989. Pages 16 through 18.
 3. "Revisión del Cuidado Médico". Bulletin: Asociación de Profesionales en Garantía de Salud. Published on September 1991.
 4. Several Topics on Substance use Disorder and Medical Ethics, Published at REVISTA: Profesionales en Calidad de Salud de PR. Starting December, 1991. P.O. Box 70359, San Juan, PR 00936.
 5. "La Edad de Oro y los Cambios Psicológicos". Published by "Organización Puertorriqueña de Patología del Habla, Lenguaje y Audiología" (OPPHLA). Vol. 12, No. 2, September 1995, pages 20-22.

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Publications Cont.:

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6. "La Mente, los Sueños y sus Poderes". El Nuevo Día (Newspaper). January 12, 1995. Supplement for "Por Dentro" pages 75 to 78.
 7. "El estrés y cómo afecta". Bulletin: Calidad en Salud de Puerto Rico, Inc. Published Year 6, No. 3, July-September 1993. Pages 6 and 7.
 8. "La Depresión y la Energía Mental". Published in the newspaper La Era de Ahora. April 1995, Volume 4, No. 4, page 13.
 9. "Pánico: El desorden de las nuevas generaciones". Published in the newspaper La Era de Ahora. April 1998, Volume 7, No. 4, page 16.
 10. "Síndrome de Estrés Post-Traumático (PTSD)". Published in the Official Publication of the State Insurance Fund Corp. Commonwealth of Puerto Rico. ENFOQUE, Volume No. 1, February-April 1998 pages 11 and 12.
 11. "Schizophrenia: A General View to the Primary Physician". Published at MEDICINA PRIMARIA the Journal of the Geriatric Academy of Puerto Rico Year 6, No. 6, June 1998, pages 24, 25, and 32.
 12. "Suicidio". Published at Cambio Positivo, Ponce, PR, Year 1, No. 001, September 1998, page 28.
 13. "Depresión en la Mujer del Nuevo Milenio" (Depression in Women of the New Millennia). Published at Cambio Positivo, Ponce, PR, Year 1., No. 005, May 1999 page 6.
 14. "Las Mujeres se Deprimen Más". El Nuevo Día (Newspaper), June 19, 1999, Saturday. Supplement for "Por Dentro", pages 86 and 87.
 15. "Manejo del Paciente Agresivo". Published at Cambio Positivo, Ponce, PR, Year 1, No. 006. August 1999 page 6.
 16. "La Deficiencia de Atención, el Aprendizaje y el Ritalin". Published at OPPHLA (Organización Puertorriqueña de Patología del Habla-Lenguaje y Audiología). Volume 16, No. 2, 1999. January 2000 (pages 3, 4 and 5).

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R. Fortuño**

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Appearances to the Honorable Courts of Justice 1999-2005:

(Federal Court of the United States of America, District of Puerto Rico and Puerto Rico Municipalities Courts).

1. El Pueblo de Puerto Rico Vs Cruz Olivo Otero . Lawyer Gómez-Encarnación. I gave opinion concluding that the accused suffered from involuntional changes as confirmed by MRI (Magnetic Resonance Imaging/studies of the brain) and Diabetes Mellitus; causing him to "Black-out" after ingesting alcohol in combination with Avandia (a hypoglycemic inducing medication to treat diabetes mellitus). Carolina Court of Justice. Year 2000.
2. Civil Case: KEX 99-0266 Case of Fernando Muñiz Méndez, Attorney Víctor Thomas Santiago. Mr. Fernando Muñiz was declared mentally impaired to take care of self or his funds, after my testimony under oath that defendant suffered an irreversible mental retardation. San Juan (Hato Rey) Court of Justice-Room 701. Hon. Judge Aurea Torres. December 9, 1999.
3. Civil Case: Jacinto Agosto Baquero, Attorney Quiles. Carolina Court of Justice-Room 404 Hon. Judge Sonrise Ramos. October 23, 2003. Mr. Baquero was declared mentally disabled, after my testimony indicating that after suffering a Severe Left. Middle Cerebral Artery infarct; that his speech and capacity of judgment became totally and permanently impaired.
4. Civil No. 98-1732 (PG) Heyda de Jesús Auli Vs. Johnson & Johnson Hemisférica S.A. Written Opinion: Mrs. De Jesús suffered a severe psychiatric disorder that Dr. Ernesto Marrero (treating physician) interpreted as a Post Traumatic Stress Disorder. That this disorder was directly caused by the hostile environment and circumstances narrated by plaintiff. The Sexual Harassment by her immediate supervisor and the absence of corrective action from Managed Services, who decided to terminate Heyda's contract without any due process or previous anticipation, Medical evidence supported plaintiff's testimony (July 1999). The case was dismissed at the Federal Court because plaintiff failed to prove violations to civil rights or discrimination by reason of sex. (Plaintiff)
5. Civil No. 99-1007 (JP) Ruth Vélez Rodríguez Vs. Distribuidora Lequar. Written Opinion: Mrs. Ruth Vélez suffered a mild psychiatric disorder, but since the treating physician indicated she was psychotic and the medical evidence included information regarding two other catastrophic life circumstances: 1) Marital divorce on 1996 and 2) One of her brothers was viscously killed on June 1994; it was my opinion that these factors could have contributed to the development of a Major Depression with Psychotic Features, and the emotional turmoil. (November 1999). The Case was settled. I was contracted by the Law Firm: Axtmayer, Adsuar, Muñiz, and Goyco. (Defendant)

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R. Fortuño

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Appearances to the Honorable Courts of Justice, Cont.:

6. Olga Molina Quintero Vs. General Electrical, Rafael Colon et. al. I declared in a deposition that Mrs. Molina Quintero was submitted to humiliations and sexual harassment causing her loss of mental ability to function. That she developed severe psychiatric problems and loss inability to maintain substantial activities. (2000). (Plaintiff)

7. Rosa J. Santana et. al. Vs. San Juan Gas, ABC Insurance Company et. al. (Río Piedras Explosion). I declared in a deposition at Rivera, Tulla & Ferrer Law Firm that plaintiffs suffered a psychiatric disturbance because of the traumatic loss of a young female adult; by learning and watching the mutilated body, the father was affected and also the grandfather. Lawyer for plaintiffs Ramón H. Vargas, Esq. (2000). (Plaintiff)

8. Francisco Rodríguez Santiago et. al. Vs. San Juan Gas, ABC Insurance Co., et. al. (Río Piedras Explosion). I declared that the plaintiffs were affected by the catastrophic loss of a young female adult. Plaintiff's attorney Víctor Thomas Santiago, Esq. (2001). (Plaintiff)

9. José Caraballo Rodríguez and Héctor López Irizarry Vs. Redondo Construction. I declared in a deposition at Rivera, Turrall & Ferrer that both plaintiffs suffered Post Traumatic Stress Disorder, because they were exposed to a catastrophic event in which they both could have lost their lives. (2001). (Plaintiff)

 10. Ricardo Santiago Vera et. al. Vs. Williams Hospitality Group, Patriot American Hospital et. al. I declared in a deposition taken by María Kortright, Esq. that Mr. Ricardo Santiago suffered a psychiatric disturbance because of other causes that were discussed at the depositions and not because of a shift to work at nights. Mr. Santiago separated from his wife by signing for the military service; and this was not related to work. The Defendant's Law Firm was Axtmayer, Adsuar, Muñoz & Goyco. (1999). (Defendant)

11. Mercedes Hernández Cancio et. al. Vs. Damler Chrysler, et. al. Civil No. 99-2361 (SEC). I declared in depositions on November 21, 2001 and March 5, 2002 that there was no clear cause to establish that the emotional disorder that plaintiff suffered could be attributed to a car accident suffered on December 1998. (Defendant)

12. United States of America Vs. Luis Colón Osorio. Criminal Case No. 01-629 (CCC). I declared to Magistrate Judge Gustavo Gelpí on February 11, 2002 that the defendant did not suffered from a Schizophrenia, that he did not have Post Traumatic Stress Disorder's symptoms at the time of evaluation and that he did suffered from a Personality Disorder that would impede him to collaborate with his lawyer to defend him. But that he was competent to stand trial.

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Appearances to the Honorable Courts of Justice, Con.:

13. Luz D. Román Martínez Vs. Delta Maintenance, Civil No. 00-2098 (SEC). I declared to the jury and Magistrate Judge Justo Arenas on April 30, 2002 at the United States Federal Court, 150 Chardon Avenue; that Mrs. Román suffered a psychiatric disturbance after being terminated (fired) from her job. That there was no previous record to establish she had an emotional disturbance before her termination. She had Low Back Pain injury that caused only 5% of impairment according to the State Insurance Fund, and that it did not contribute to the alleged emotional disturbance. The Jury awarded Mrs. Luz Delia Román \$150,000.00. (Plaintiff)

14. The United States of America Vs. Manuel Vélez López. Criminal Case 02-213M. I was ordered by Magistrate Judge Jesús A. Castellanos to evaluate defendant at the MDC of Guaynabo. A Report was rendered to the Office of the United States Attorney and the Federal Public Defender, Attorney Joseph Laws on August 03, 2002. My opinion is that Mr. Vélez López was Mentally Competent to Stand Trial.

15. Myrna Montalvo Saavedra Vs. Department of the Family, Commonwealth of Puerto Rico, Manuel I. De Vera Fernández et. al. Civil Case No. 99-1887 (CCC). I declared to Honorable District Judge Consuelo Cerezo and the Jury that Mrs. Montalvo suffered an Adjustment Disorder with Mixed Features (Anxiety, Depression and Paranoid). Chronic following being exposed to Sexual Harassment by her supervisor. September 10, 2002. The Jury awarded Mrs. Montalvo almost \$200,000.00 (including \$40,000.00 for loss of income). (Plaintiff)



16. Civil No. HDP 94-0075, Carlos E. Gómez de Jesús Vs. Corp. Fondo del Seguro del Estado (Division of "Litigios"). This a Mal-Practice Civil action against the State Insurance Fund and Dr. Frago. The case was seen at Humacao "Tribunal de Primera Instancia"; May 11, 12, and October of 1997. The Honorable Judge Aurea Torres gave a fully favorable decision to the State Insurance Fund, disesteemed and denial of claim for psychiatric damages. In this case the plaintiff alleged that the use of corticosteroids prescribed by the SIF's doctors caused psychosis. It was my testimony that what plaintiff suffered was a Schizoaffective Disorder and could not be attributed to steroids and corticosteroids use. The Court accepted my position in this **fully favorable decision for defendants**. (Defendant)

17. Carmen Rosario, Zoraida Santos Vs. Cooperativa Aiboniteña, Board of Directors et. al. Civil No. BPE 95-0007, attorney Víctor J. Casal-Vázquez from Santori Casal Law Firm. (March 15, 1999; December 17, 1999; and February 1, 2000) In this case I declared that there was no cause relation between the alleged incidents and the psychiatric disorders that plaintiffs had developed. Plaintiff continued working without psychiatric treatment and the co-plaintiff had a severe psychiatric condition that was not aggravated by the alleged problems. The Case is was recently appealed to the Puerto Rico Court of Appeals, because based on plaintiff's testimonies the judge awarded compensations. (Defendant)

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Appearances to the Honorable Courts of Justice, Cont.:

18. Víctor Valentín Rivera et. al. (Anner Valentín) Vs. Pizza Hut Puerto Rico, Inc. Civil No. FDP 97-0134. I declared that the car accident that caused concussion to Anner Valentín also caused an emotional disturbance. The plaintiff's attorney was Ramón H. Vargas. The presiding judge was Honorable Judge Sonrise Ramos. Case was favorable to plaintiffs. (Plaintiff)

19. Oscar Vargas Jiménez et. al. Vs. Almacenes Pitusa. Civil No. DDP 95-0017. I declared that the emotional condition alleged by plaintiff was markedly severe when comparing it to the minimal stressor of having an argument with the manager of Pitusa. She had a Major Depression severe that required partial hospitalizations at I.H.S. Presiding judge was Hon. Judge Johnny Maldonado, 1997. (Defendant)

20. Iraida Pérez Fonseca Vs. Holiday Inn Crown Plaza. Civil No. 96-1890 (PG). A case of Sexual Harassment. Mrs. Pérez Fonseca suffered a Post Traumatic Stress Disorder and Major Depression secondary to the hostile environment, the pressures, and sexual harassment coming from her immediate supervisor. (1999). (Plaintiff)

21. Edgardo Millet Sánchez Vs. ACAA, Commonwealth of Puerto Rico; Dr. Luis González Alonso. Civil No. 96-2052 (DRD). I was retained by SIMED of Puerto Rico and Lawyer Jaime Morales-Morales, Esq. My opinion was that plaintiff had a Severe Disorder that could not be attributed to the incident he alleged. That his longitudinal history suggested litigiosity as part of his condition and that he was a suspect of malingering. Case was Dismissed. (2002). (Defendant)



22. Marianela Rivera Díaz et. al. Vs. Autoridad de Acueductos y Alcantarillados. Civil No. 92-0050 (402) Arecibo. I declared that Marianela and her husband suffered a tragic loss of a pre-scholar child secondary to an automobile accident and that this was a catastrophic event causing a Chronic Depressive Disorder. Hon. Judge Jimmy Villalobos imposed to the defendants to pay Marianela Rivera \$250,000.00 plus \$410,000.00 to the other seven plaintiffs on May 7, 2001. The case was apparently appealed recently to the Supreme Court of Puerto Rico (Plaintiff)

23. Juan Méndez Rodríguez, Marisol Fonseca Gilfú et. al. Vs. Eladio Cintrón Lebrón. Civil No. GDP 98-0097. I was retained as the medical expert for plaintiffs by Attorney Ramiro Rodríguez Ramos. Mr. Juan Meléndez suffered second degree burn wounds affecting his honeymoon. He developed burning and itching sensation and skin deterioration and keloid formation. He developed an Adjustment Disorder to these events. (2000). (Plaintiff)

24. Santiago Hernández Rivera Vs. John Doe, ABC Insurance (Terrazas, Inc.) Civil No. not available. I was retained by attorney Manuel Pérez Rodríguez to be the expert for plaintiff. My opinion in this case was that the termination from his work caused him an emotional disturbance. Plaintiff alleged discrimination by reason of age. I was taken a deposition by defendant's lawyer Julio Muñoz of the Law Firm Lerpier, Muñoz & Noya. (2001). (Plaintiff)

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Appearances to the Honorable Courts of Justice, Cont.:

25. Lisandra Rosario Zayas Vs. Klosterman Baking Company. Civil No. 99-2246 (PG). I was retained as medical expert for plaintiff by Dr. Juan Hernández Rivera Law Firm. In a deposition taken to me by defendant's attorneys I declared: "that if the harassment alleged by plaintiff was in fact correct and accurate, the depression recorded on medical charts was related to them". (2000). (Plaintiff) This case was settled.

26. María L. Fontáñez Estrada et al. Vs. Juan Sánchez Cabezudo, Corp. Fondo del Seguro del Estado, Juan Martínez Cintrón, Administrator of the State Insurance Fund Corporation. Civil Case No. EDP 1999-0250 (612) Caguas. I declared in the deposition taken at Dávila, Pesquera & Murray Law Firm on October 10, 2001 that plaintiff did not have a Post Traumatic Stress Disorder and that by the time I examined her, she had a Depression not Otherwise Specified or a Major Depression with Psychotic Features in Partial Remission, not related to what she expressed was a "sexual harassment", because she never expressed clear indications that a sexual harassment "quid pro quo" had occurred. (Still not scheduled for trial). (Defendant)

27. Eduardo López Vs. Costco Wholesales. Civil Case that was scheduled for trial at Caguas Superior Court of Justice, Room 402, Hon. Judge José Fernández Luis. I declared that Mr. López did not suffer any emotional disturbance resulting from the situation that occurred at Costco in Caguas; because he was not retrained and he was not accused of any crime. Even the plaintiff's expert concurred that there were no records or evaluations to prove there was any condition arising from the incident for almost two years. (September 20, 2004). (Defendant)

28. Wilfredo Torres Sánchez (Appellant), Industrial Commission of Puerto Rico Vs. Nicolás López Peña, State Insurance Fund Corporation (Insured Agency). The First Circuit Court of Appeals in the case KLRA 0200155 on June 26, 2002 solved that my recommendation was correct; and that the appellant had 25% of impairment for Mental Condition in his case (FSE) 97-34-02914-0. The decision was taken by a panel composed by Hon. Judge Sánchez Martínez, Hon. Judge Cotto Vives, and Hon. Judge Vivoni del Valle.

29. José L. Sánchez Navarro (Appellant), Remand Case C 23 591 370. After evaluating appellant for 2 hours and 20 minutes, and reviewing extensive medical records for more than seven hours, and literature related; I gave a written opinion that Appellant suffered a Post Traumatic Stress Disorder related to his combat or military experience at Vietnam (Khe Sanh) in Operation Union I and Counter Insurgency Operation (Ky Ha, MAG 36). (August 11, 2002)

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Appearances to the Honorable Courts of Justice, Cont.

29. Juan Plaza Salva Vs. Puerto Rico Police Department, Commonwealth of Puerto Rico. I wrote a report and a deposition was taken by the Department of Justice of Puerto Rico, Attorney for the Defendants Carlos Aquino and for the plaintiff Attorney Víctor J. Casal-Vázquez. I declared under oath that plaintiff probably had a P.T.S.D. in partial remission or an Adjustment Disorder with anxious mood. That he had a Global Functioning of 85%, meaning he had a Good Global Functioning. That even when the stressor was Severe on August 16, 2000, he had adjusted fairly well. The deposition was taken at 135 Domenech Avenue, Hato Rey on October 28, 2002. This is a case to be heard in The United States Federal Court of Justice, District of Puerto Rico by Honorable District Judge Laffitte. (Plaintiff)

30. Rubén Cruz Reyes Vs. Escuela Pública Pedro Rivera Molina, Commonwealth of Puerto Rico. Civil Complaint. I rendered a written medical opinion regarding the traumatic events underwent by the minor (Mr. Cruz's daughter) and that she developed the characteristical symptoms of a Post Traumatic Stress Disorder after being raped. March 2001 to January 2004. (Plaintiff) Case was settled.

31. Myrna Santiago Rodríguez Vs. Puerto Rico Highway and Transportation Authority. Civil No. 03-1612 (JP). I was retained by the Law Firm of Umpierre Suárez to render an opinion regarding an alleged emotional condition arising from Political Discrimination. After examining plaintiff and studying the evidence provided, I reported that in my opinion the case was related to the political discrimination occurring at the PRHTA. April 5, 2004 (Defendant)

 32. Javier Dávila Guzmán Vs. Universal Insurance Company. JDP 2003-0469. I declared in a deposition taken on February 16, 2005 that after examining the plaintiff and reviewing the medical charts provided by plaintiff's attorney, Marcos Pérez Cruz, that the plaintiff suffered a severe physical trauma that caused him to experience an Adjustment Disorder with mild limitations. That his global assessment was about 70%, meaning that symptoms were mild at the time I conducted the evaluation. (Plaintiff)

33. María del Carmen Díaz Rodríguez Vs. Ferrero Caribe, Inc. Civil No. 04-2160 (JP). I was retained by the plaintiff to evaluate the medical records of her treating physicians and she was recognized as having some limitations because these physical conditions. She filed a civil case alleging discrimination by reason of sex and her disabilities. I rendered an opinion indicating that her Major Depression was related to the hostile environment created by management's response against Mrs. Díaz and failure to provide a reasonable accommodation. The case was settled after my deposition that was taken at Adsuar, Muñiz, Goyco & Besosa Law Firm on August 20, 2005.

Curriculum Vitae
R. Fortuno, MD

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Appearances to the Honorable Courts of Justice, Cont.

34. Victor González Calderón Vs. Air Master Awning Inc. Civil CAC 2003-2175 (705) Arecibo Municipality Court. I was taken a deposition by the Law Firm of Pedro Soler Muñiz, on September 30, 2005. I rendered a psychiatric report after the evaluation of plaintiff who on January 2003, received a letter terminating a contract and afterwards had economic situation that caused him to suffer an Adjustment Disorder that evolved to a Major Depression, by meeting diagnostic criteria DSM IV (TR) by February 2003. My opinion was favorable to the plaintiff. (Plaintiff)

35. Nerida Bajana Santillan Vs. John E. Potter, Postmaster General U.S. Postal Service. Civil No. 04-1472 (HL). I declared that the emotional disturbance alleged by plaintiff was not related to work, working conditions in the U.S. Postal Service or the environment at work. My opinion was that the alleged condition developed due to circumstances of her personal life. I declared that plaintiff did not meet criteria for a Major Depression Episode, therefore the diagnosis of 309.28 Adjustment Disorder with mixed characteristics, and in Partial Remission was more accurate. 1) She never produced the progress notes of psychiatrist. 2) She was never separated from work and continued receiving full payment. 3) She did not accept been transferred from the alleged hostile environment, and even perceived transfer from the place of work as a punishment; that those three reasons gave proof that the emotional disturbance was not cause by her employer. (Defendant: trial by Jury, Honorable Judge Hector Laffitte, October 2005)

Personal References:

1) **Antonio De Thomas, MD**
Medical Director of MEPSI Center
Call Box 60-89
Bayamón, PR 00960-0089
Tel. (787) 793-1578

3) **Héctor M. Bird Soto, MD**
Ex-Director of Unit 2AI, VA
Bucaré Street I-15
Caparra Hills
Guaynabo, PR 00969
Tel. (787) 792-9041

**Curriculum Vitae
R. Fortuno, MD**

PAGE FIFTEEN of FIFTEEN

Personal References Continued:

2) Luis Franco Vélez, MD

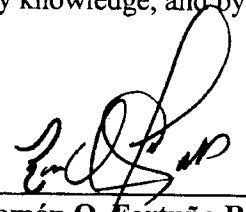
Chairman, Dept. of Psychiatry
Ponce School of Medicine/ P.O. Box 7004
Ponce, PR 00732
Tel. (787) 840-2575 Ext. 2150

4) Luis Raúl Alfaro Rivera, MD

Midtown Building • Suite #214
420 Ponce de León Avenue
San Juan (Hato Rey), PR 00918
Tel. (787) 751-8209

Declaration:

I hereby declare that the facts forth on this Curriculum Vitae are true and complete to the best of my knowledge, and by no means an act of deceiving or misrepresenting.


_____, M.D.
Ramón O. Fortuño Ramírez, M.D.
Forensic Psychiatrist

Date: March 29, 2006

Rodriguez, Luis (USAPR)

From: Rodriguez, Luis (USAPR)
Sent: Monday, September 25, 2006 9:05 AM
To: 'mirandalawfirm@aol.com'
Cc: Sevillano, Fidel (USAPR)
Subject: Angel D. Morales v. John E. Potter (USDC PR Civil No. 97-2459 GAG)

Attachments: 97-2459 (Appointment).PDF

Dear counsel:

Pursuant to AUSA Sevillano's instructions, enclosed please find a communication previously forwarded via facsimile.

This communication contains very important information regarding the above-captioned case.

If you require any additional assistance, please contact me at your convenience.

Thanks a lot.

Luis M. Rodriguez Nieves

Legal Assistant
United States Attorney's Office
Torre Chardon, Suite 1201
350 Carlos Chardon Street
San Juan, Puerto Rico 00918
Telephone: 787-772-3948 (voice)
Facsimile: 787-766-6219
Email: luis.rodriguez3@usdoj.gov



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U.S. Department of Justice
Rosa Emilia Rodríguez-Vélez
United States Attorney
District of Puerto Rico

Torre Chardón, Suite 1201
350 Carlos Chardón Street
San Juan, Puerto Rico 00918

Telephone: (787) 766-5156
Telecopier: (787) 766-6119

September 25, 2006

Via facsimile: 787-751-0883

Miguel E. Miranda, Esq.
PMB 132, 255 Ponce de León, Suite 75
San Juan, Puerto Rico 00917-1919

RE: *Angel D. Morales v. John E. Potter*
USDC PR Civil No. 97-2459 (GAG)

Dear counsel:

In relation with the above-captioned case and pursuant to the Court's Order related at Docket Entry No. 301 and the United States' Motion in Compliance, the government announces a its expert witness, Dr. Ramón O. Fortuño, Psychiatrist.

For your information and benefit, enclosed please find an additional copy of Dr. Fortuño's curriculum vitae, even though it was previously provided.

Dr. Fortuño is available to examine plaintiff, Angel D. Morales Vallellanes, on Thursday, October 5, 2006 at 2:30 pm. Dr. Fortuño's office is located at Midtown Building, Suite 214, 421 Ponce de León Avenue, San Juan, Puerto Rico 00918.

Without any further comment, I remain,

Cordially yours

Rosa Emilia Rodríguez-Vélez
United States Attorney